

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 99-405

JAMES MCGILL, ET AL
Request For Commission Investigation Into
Bell Atlantic's Quality Of Service To Residents
Of Carthage, Maine

September 28, 1999

ORDER DISMISSING
COMPLAINT

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order we dismiss the complaint of certain residents of Carthage, Maine against Bell Atlantic-Maine (Bell Atlantic,) as Bell Atlantic has addressed the cause of the complaint.

II. BACKGROUND

On June 17, 1999, the Commission received a complaint signed by James McGill and 80 other persons against Bell Atlantic-Maine. The complaint, filed pursuant to 35-A M.R.S.A. § 1302, asked the Commission to investigate the quality of telephone service in the Town of Carthage. The complainants claimed that for the past several months service had been erratic with static noise, calls cut-off, no dial tone and calls not received.

Bell Atlantic filed its response to the complaint on June 28, 1999. Bell Atlantic explained that it was aware of the service difficulties experienced in the Dixfield exchange (562). The majority of complainants receive service from the Dixfield switch via a Subscriber Loop Carrier (SLC). According to Bell Atlantic, numerous problems made it difficult for BA to diagnose and repair the problems being reported by customers. Eventually, Bell Atlantic identified both a problem in the cable and a defective circuit board in the alarm monitoring unit of the SLC. The combination of the two causes led to an "inordinate (and from a customers perspective clearly unacceptable) time to repair."

Bell Atlantic states that the problems were finally isolated and repaired in early June. It therefore claims that the cause of the complaint has been removed. It further states it will continue to work closely with Carthage residents to ensure adequate service to the community.

On July 9, 1999 the Commission staff issued a data request to gather further information about the number of complaints, how Bell Atlantic handled the complaint and the timing of the response. The data responses disclosed that Bell Atlantic received 211 customer complaints between November 1998 and June 1999 (Bell

Atlantic serves 156 customers on 169 lines from the faulty SLC). Bell also provided a chronology describing its efforts to diagnose and repair the problems (Attachment 1). This reveals that it took more than three months to address the primary problems.

III. DECISION

We dismiss the complaint, as permitted by 35-A M.R.S.A. § 1302,¹ because Bell Atlantic has now addressed the cause of the complaint. The Consumer Assistance Division received no complaints from the Dixfield Exchange in July and August. CAD also contacted the lead complainant, Mr. McGill, at the end of August, and he said the problems had mainly been addressed. In addition, Bell Atlantic contacted the 56 accounts associated with the 80 complainants, and no troubles were reported.

This situation, which affected Carthage residents over several months, was obviously a difficult one with multiple causes. In such situations, we expect Bell Atlantic to communicate better with its affected customers and town officials. Problems should not reach a level that results in customers, filing 10-person complaints with the Commission.

Accordingly, we

O R D E R

That the complaint be dismissed and Docket No. 99-405 closed, as the cause of the complaint has been removed by Bell Atlantic.

Dated at Augusta, Maine, this 28th day of September, 1999.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond

COMMISSIONER ABSENT: Nugent

¹ 35-A M.R.S.A. § 1302 (2) provides, in part, that "After receipt of the [utility's] response, if the Commission is satisfied that the utility has taken adequate steps to remove the cause of the complaint..., the complaint may be dismissed."

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.